

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 28 2019

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

for

Eastern District of Washington

U.S.A. vs.

Benka, Eric Alexander

Docket No.

2:18CR00170-WFN-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Eric Alexander Benka, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 12th day of April 2019 under the following conditions:

Standard Condition #9: Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: On May 24, 2019, Eric Alexander Benka admitted to injecting heroin every couple of days for the past 3 weeks.

On October 5, 2018, the conditions of pretrial release supervision were reviewed with Mr. Benka. He acknowledged an understanding of his conditions, which included standard condition number 9.

On February 5, 2019, Mr. Benka appeared before the Honorable John T. Rodgers, U.S. Magistrate Judge, and admitted to violating the conditions of pretrial release supervision. The violations involved Mr. Benka's use of illegal controlled substances and Internet access. Subsequently, the Court revoked Mr. Benka's pretrial release supervision and he was remanded to custody.

On March 7, 2019, the Court released Mr. Benka to allow him to enter an inpatient substance abuse treatment program.

On April 12, 2019, Mr. Benka successfully completed an inpatient substance abuse treatment program. Subsequently, he was ordered to be released under conditions of pretrial release supervision, which again included standard condition number 9.

On May 24, 2019, the undersigned officer met with Mr. Benka at his residence. During that meeting, Mr. Benka admitted to injecting heroin every couple of days for the past 3 weeks. He signed an admission form acknowledging his use of heroin. Mr. Benka further advised his last use of heroin was on or about May 23, 2019.

PRAYING THAT THE COURT WILL ORDER A WARRANT

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: May 28, 2019

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

Re: Benka, Eric Alexander

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer



Date